

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

RPFC.No. 94 of 2003(A)

MC.136/2002 of FAMILY COURT, MANJERI

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REVISION PETITIONER/RESPONDENT:

SHAJI, S/O. NAVUTHI,
PARIYANTODI HOUSE, VATTAPARAMBU, PERIVALLOOR,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: PETITIONER:

1. SUJITHA, D/O. CHOOLAN,
KUNNAPALLI HOUSE, VATTAPARAMBU, PARABIL PEEDIKA,
MALAPPURAM DISTRICT.

2. ANAKHA, MINOR,
REPRESENTED BY THE FIRST RESPONDENT,
GUARDIAN MOTHER.

BY ADV. SRI.S.V.BALAKRISHNA IYER
SRI.HARISH R. MENON

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD
ON 18/10/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J.

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R.P.(F.C).No.94 of 2003-E
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Dated this the 18th day of October, 2007

O R D E R

The revision petitioner is the respondent in M.C.No.136/2002 filed by the first respondent/petitioner seeking maintenance to the illegitimate minor child. It is the case of the petitioner in the M.C that she was subjected to forcible sexual intercourse on Sunday July 1997 and she got conceived and gave birth to a child on 22/04/1998. The accused was tried and convicted and sentenced to undergo rigorous imprisonment for three years and to pay a fine of Rs.3,000/-. It is alleged that the revision petitioner/respondent is a construction worker and is earning a sum of Rs.5000/- per month. The court below ordered maintenance at the rate of Rs.500/- for the period from the date of the petition till the date of the order and thereafter at the rate of Rs.1000/-.

2. The evidence adduced in the matter consisted of the testimony of PW.1, RW.1 and Ext.C1.

3. Ext.C1 is the D.N.A test report as per which it is confirmed that the alleged father is the biological father. The only question that remains is with respect to the means of the revision

petitioner/respondent. According to the revision petitioner he is not having any regular job. He has denied that he is a construction worker but he has not explained as to the occupation that he is having. In the circumstances, I find that no interference is called for in the order of the court below. The revision petition is dismissed.

K.R.UDAYABHANU,
Judge

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